

**MINNESOTA BOARD OF
PEACE OFFICER STANDARDS AND TRAINING**

**BOARD MEETING
POST Board Office
1600 University Avenue, Suite 200
Saint Paul, Minnesota
October 22, 2015**

Members Present

Mr. Tim Bildsoe (Chair)
Mr. Dave Bentrud
Mr. Marty Earley
Mr. Mark Fahning
Ms. Nancy Johnson
Ms. Mylan Masson
Mr. Joel Olejnicak
Mr. Paul Schnell
Mr. Wade Setter
Mr. Steve Stotko
Ms. Becky Swanson
Mr. Dave Titus
Mr. Kent Wilkening
Mr. Troy Wolbersen

Staff Present

Mr. Nate Gove
Ms. Mary Bjornberg
Ms. Deb Soderbeck
Ms. Peggy Strand
Ms. Sheryl Waddick

Counsel Present

Mr. Jacob Fischmann,
Assistant A.G.

Others Present

Mr. Dave Bicking
Ms. Monique Cullars-Doty
Dr. Everett Doolittle
Ms. Michelle Gross
Mr. Paul Hansen
Ms. Susan Hilal
Mr. Bryan Litsey
Ms. Susan Montgomery
Mr. Mike Russin
Ms. Bettie Smith
Ms. Barb Tuckner
Several other persons associated
with *CUAPB* and *Black Lives Matter*

Chair Bildsoe called the meeting to order at 10:02 a.m. He welcomed everyone to the meeting. The **Forum** was the first item on the agenda. Seven individuals requested to address the Board. Mr. Dave Bicking, Communities United against Police Brutality (CUAPB), addressed the Board regarding civilian complaints, civilian deaths, police misconduct and the POST Board's duty to protect the public. He provided a list of demands. Next to speak was Mr. Mike Russin who spoke about a complaint he filed with the Orono Police Department ten years ago. Mr. Russin said their response to the complaint was retaliation. He filed a complaint with the POST Board two years ago and has not received resolution. Since the complaint, Mr. Russin said the Orono Police Department has been withholding services. "We live in fear in our own home because we have a guy next door who has serious issues . . . we are afraid to dial 911," said Mr. Russin. Mr. Paul Hansen then addressed the Board. He filed a complaint against the Chief of Police of the Newport Police Department. The complaint was investigated by his subordinates and deemed to be unfounded. He asked why the POST Board hadn't conducted the interview with the Chief. "By the way, I did sue successfully in federal court and I won't hesitate to sue anyone who violates my rights," said Mr. Hansen. Ms. Susan Montgomery addressed the Board. She said her 10-year old son was "maced" by the Minneapolis Police Department during a peaceful protest. Ms. Montgomery wants to see accountability, transparency, and resources for victims of police brutality and their families. She also mentioned the lack of cultural diversity on the Board and in police departments. Ms. Bettie Smith spoke to the death of her unarmed son on December 8, 2008 when he was TASERed by five officers in Minneapolis. "I'm here asking you to do what the taxpayers are paying you to do . . . address the brutality. Hold people accountable. It will not stop unless you guys act," said Ms. Smith. Ms. Monique Cullars-Doty spoke to the death of her nephew, Marcus Golden, killed on January 14, 2015 by

the St. Paul Police. "If you cared about what was happening with the people of Minnesota and this community, we wouldn't be here today. There needs to be some changes. I'm so sorry for all the people here representing their lost ones, you have my condolences. We have not seen justice come out of this Board so far, why would you expect to see it after being here today? I hope that you prove me wrong. You need to think about what your lack of action is doing to the people who rely on you," said Ms. Cullars-Doty. President of CUAPB, Ms. Michelle Gross, addressed the Board saying it was the 20th anniversary of the National Day of Protest Against Police Brutality. She told the Board, "Your agency tries to pretend that you can't address complaints from members of the community, which is a despicable lie. You are not willing to be accountable. You are not willing to be transparent. What exactly are you trying to hide? Through your inaction, you yourselves tarnish the reputation of the entire profession. The POST Board as it stands right now is an epic fail. We demand that you step-up and hold your licensees accountable and that you hold yourselves accountable, too. You are no longer free to ignore our complaints, you are no longer free to look the other way while your licensees harm our communities, and you are no longer free to allow brutality, misconduct and abuse of authority to define the profession of law enforcement. We will keep coming back until you people and this agency start doing its job." Chair Bildsoe had an exchange with Ms. Gross regarding the data that has already been provided to CUAPB. Mr. Dennis Boyer addressed the Board and expressed his opinion. "We're never going to stop police brutality, it is a human response. As people, we can be brutal, we can be monsters. But what we can do is stop bad cops from doing what they're doing as police officers," he said. At this time, Chair Bildsoe told the CUAPB and Black Lives Matter members they could stay during the public portion of the meeting if they chose to do so. They left the meeting at 10:45 a.m.

Approval of the July 23, 2015 Board Meeting Minutes: Chair Bildsoe looked for a motion to approve the minutes.

- **MOTION:** Mr. Schnell moved to approve the July 23, 2015 Board meeting minutes. Mr. Wilkening seconded the motion. The minutes were approved.

Approval of the Agenda: Chair Bildsoe looked for a motion to approve the agenda.

- **MOTION:** Mr. Setter moved to approve the agenda. Mr. Bentrud seconded the motion. The agenda was approved.

Announcements: Chair Bildsoe announced that Mr. Wade Setter would be staying with the Board as the Designee from the BCA. He thanked Mr. Setter for his willingness to continue to serve on the Board. Superintendent Andrew Evans could not make today's meeting but has been invited to the January 2016 Board meeting.

Mr. Mark Fahning asked the Board to recognize the tragic loss of Deputy Steve Sandberg while protecting the citizens of Minnesota. Mr. Gove told the Board he'd sent a card of condolence on behalf of the Board to the Aitkin County Sheriff's Office.

Recognition of Board Member Dr. Everett Doolittle's Service to the POST Board:

Dr. Doolittle submitted his resignation from the Board on July 22, 2015. Mr. Gove provided a brief recap of Dr. Doolittle's career in law enforcement and presented him with an engraved award recognizing his service to the POST Board and his 32-year contribution to the profession. After a round of applause, Dr. Doolittle said how greatly honored he was to be able to serve with the "professionalism and dedication" that is

represented by the Board, and complimented the staff saying they are the core value of the POST Board. "You're doing a great job," he told everyone as he left the meeting.

Chair Bildsoe drew the Board's attention to the 2016 Board Meeting Schedule that was sent to the members. The next meeting is scheduled for January 28, 2016 at the POST Board offices.

EDUCATION COORDINATOR REPORT

2015 Professional Peace Officer Education (PPOE) Coordinator's Conference: Ms. Strand announced the annual Coordinator's Conference will be held on November 4, 2015, and invited any and all Board members who wished to attend but to please let her know ahead so she can arrange a meal for everyone, "Or, if you have something you would like to say, I'll carry your message," said Ms. Strand. A copy of the conference agenda was provided to Board members. The conference will be held at the Plymouth Creek Center in Plymouth, Minnesota. Chair Bildsoe, Mr. Bentrud and Mr. Fahning expressed interest in attending.

Affirmative Action Report and Plan: On an annual basis, PPOE schools are required to submit information on whether or not they seek to fulfill an Affirmative Action plan. Ms. Strand compiles the report and submits it to the Legislative Library and the Board.

- **MOTION:** Mr. Fahning moved to accept the Affirmative Action Plan report. Mr. Wilkening seconded the motion. The motion passed.

Implementation Date for 2015 Learning Objectives for PPOE: In response to the Board's request, Ms. Strand surveyed the PPOE schools in regard to implementing the new learning objectives. Though some schools said they could do it sooner, overall they could have the learning objectives in place by fall of 2017. The first exam to reflect the new learning objectives would be in place six to twelve months afterwards.

- **MOTION:** Chair Bildsoe moved to require all PPOE schools to implement the 2015 Learning Objectives by the start of Fall Semester 2017. Mr. Schnell seconded the motion. The motion passed.

"Thank-you very much, Peggy, as I know there has been a lot of work on this over a number of years with involvement from a lot of people," said Chair Bildsoe.

PPOE Program Recertification Update: Ms. Strand reported that every five years, all PPOE schools must submit an application to be recertified by POST. The evaluations and site visits to six schools have been completed and she has more coming up soon. She was still awaiting applications from five of the PPOE schools with a November 1 deadline looming for receipt of the applications or they will not be considered a certified provider of the PPOE. She said she expects to receive all applications before the deadline.

2015 Reimbursement Update: Ms. Bjornberg provided information regarding the 2015 Training Reimbursement. For the first time ever, the applications were distributed electronically versus via US mail service on June 26, 2015. Four hundred and nine agencies applied for training reimbursement funds and five percent of agencies did not apply. The three million dollar reimbursement fund provided a per-officer share of \$333.18 for over 9,000 eligible officers. The money was transmitted electronically to the respective city or county treasurers for their law enforcement fund.

Five Year Strategic Plan Approval: Management Analysis and Development consultant, Ms. Barb Tuckner, was given the floor. She presented a visual and oral history of the actions taken from the time the project began to today; from the original idea, to the focus groups, to the development of the vision, to the strategies staff identified to achieve the vision. Five overarching strategies and goals were vetted by the Board members in July and the Executive Committee refined the plan in August. Ms. Tuckner said, "The focus groups brought greater awareness to POST and its functions and provided good PR. The Executive Committee crafted a vision in regard to "where do we want to be in five years" and the staff determined what strategies needed to be put in place to reach that vision. The involvement of the Board members deepened your understanding of the POST Board." She thanked the members of the Executive Committee for digging into the document and "wordsmithing." Ms. Tuckner asked the Board for feedback on the near-final document that will be available on the website and in PowerPoint format as well. Chair Bildsoe commented, "I like the section about complaints and what our authority is because that is a very misinterpreted thing. It is a good document to give to legislators, too, to use as a funding tool." Mr. Gove mentioned the document really focuses on "our core business functions." In light of the Forum portion of the meeting, Mr. Bentrud suggested using a bold-font for the narrative of the complaint process. Mr. Stotko said, "I like the way it is set-up and flows, the graphics are spot-on. The nice part is it is not that detailed and it is not that long – it says what it needs to say and does it very well." Mr. Schnell said to Ms. Tuckner, "I really appreciate the help that you provided. It would've been really tough to do this without your guidance." Mr. Gove noted it is a "living document" and the charts and graphs tell the story and begin the conversations. He thanked Ms. Tuckner and her staff, the Board members and POST staff saying, "I think it's critically important for POST." Chair Bildsoe added, "It's very important to have this roadmap going forward but as progress is being made on these strategies, I'm going to ask the Executive Director and the staff to keep the Board informed with each one of these initiatives. Create a template and show the actions relative to the progress being made with each one of these at each Board meeting." Discussion continued.

- **MOTION:** Mr. Schnell moved to approve the *2015-2020 Minnesota POST Board Strategic Plan*. Ms. Johnson seconded the motion. The motion passed.

Chair Bildsoe thanked Ms. Tuckner for her "fantastic work" and the Board applauded her efforts.

EXECUTIVE DIRECTOR'S REPORT

FY 2016 Budget: Copies of the Manager's Financial Report were distributed. Mr. Gove pointed out the increase to the leased office space and the increase to the in-state travel expenses due to the Standards Coordinators' on-site agency compliance reviews and the Education Coordinator's on-site visits to the PPOE schools.

The current office lease expires on October 31, 2015. Mr. Gove told the Board the new, five-year lease for space includes several upgrades the building management has agreed to absorb. The lease increase cost is 2.32% per year, a very reasonable amount according to the Minnesota Department of Administration who helped negotiate the lease. "The building management is doing an excellent job of working with us," he reported. The size of the Board room will increase and the lobby will become a secured area with a pass-through. The lease has been signed and executed.

Referencing the overarching strategies of the Strategic Plan, Mr. Gove recounted the accomplishments of the staff in the past year since becoming Executive Director:

- Formulating and adopting a comprehensive strategic plan
- Fall 2017 implementation of the new learning objectives
- Rulemaking to bring the part-time rules in line with the 2014 legislative changes by a December 31, 2015 deadline (in progress)
- Customer Service follow-up of compliance reviews, PPOE site-visits, and accredited sponsor visits
- Notification to Mayors/City Councils/County Boards of agencies found to be in compliance
- Agency compliance review backlog caught-up by early 2016
- Instituted newly-appointed CLEO compliance review assistance
- Incorporated best-practices into the Complaint Investigation Committee process – additional documentation for law enforcement agencies and the complainants
- A signed five-year lease with an excellent remodel plan to be done by December 31, 2015

“I am very proud of what the staff has accomplished in less than one year and I look forward to serving the Board in the future,” stated Mr. Gove. Chair Bildsoe said he’d solicited the Board and received glowing comments about Mr. Gove. “On behalf of the Board, I just want to thank-you for the great work you’ve done. You’ve accomplished a lot in a very short period of time. There is a lot more for us to do and I know you and the staff will do a fantastic job,” commented Chair Bildsoe.

Licensure Matters: This portion of the meeting was closed to the public. During this time, several matters were considered along with legal guidance provided by the Assistant Attorney General, Mr. Fischmann. A resolution to cancel a part-time license was adopted and a vote to rescind a revocation was tabled until the January 28, 2016 Board meeting so additional information could be sought. Standards Coordinators Waddick and Raquet presented five Settlement Agreement and Consent Orders which were each voted on and approved (members of the Complaint Committee abstained from each vote). Mr. Gove provided the Board with an update on a personnel matter.

Mr. Gove and Mr. Fischmann would confer and prepare a public statement in regard to the morning’s open Forum and CUAPB. Discussion followed.

Chair Bildsoe adjourned the meeting at 12:55 p.m.

The foregoing minutes were approved by the Board of Peace Officer Standards and Training when it met on January 28, 2016.

Board Chair

Executive Director